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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 MARC ANTHONY LOWELL ENDSLEY,) NO. CV 06-04100 DSF (SS)
12 Plaintiff,)
13 v.) ORDER ADOPTING FINDINGS,
14 OCTAVIO LUNA,) CONCLUSIONS AND RECOMMENDATIONS
15 Defendant.) OF UNITED STATES MAGISTRATE JUDGE
16 _____)
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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,
19 all of the records and files herein, the Magistrate Judge's Report and
20 Recommendation, and Petitioner's Objections. After having made a de
21 novo determination of the portions of the Report and Recommendation to
22 which Objections were directed, the Court concurs with and adopts the
23 findings, conclusions and recommendations of the Magistrate Judge,
24 except that the citation on page 15, line 19 is replaced with the
25 following: Center for Bio-Ethical Reform, Inc., 533 F.3d at 786.

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1 Accordingly, IT IS ORDERED THAT:

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3 1. Defendant's Motion for Summary Judgment is GRANTED.

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5 2. Plaintiff's Motion for Partial Summary Judgment is DENIED.

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7 3. Judgment shall be entered in favor of Defendant and against
8 Plaintiff on all claims raised in the Third Amended Complaint.

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10 4. This action shall be DISMISSED with prejudice.

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12 5. The Clerk shall serve copies of this Order and the Judgment
13 herein by United States mail on Plaintiff and on counsel for Defendant.

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15 DATED: 11/12/09

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DALE S. FISCHER
UNITED STATES DISTRICT JUDGE